



January 14, 2014

Director, Air Enforcement Division  
U.S. Environmental Protection Agency  
MC 2242A  
1200 Pennsylvania Avenue, NW  
Washington, D.C. 20460

Chief, Air Compliance Branch  
USEPA Region 2  
290 Broadway- 21st Floor  
New York, NY 10007-1866

Chief, Environmental Enforcement  
Section  
Environment and Natural Resources  
Division  
U.S. Department of Justice  
Box 7611 Ben Franklin Station  
Washington, D.C. 20044-7611  
Re: DOJ No. 90-5-2-1-09608

Puerto Rico Environmental Quality  
Board  
Pedro Nieves Miranda, Chairman  
Attn: Luis R Sierra Torres, Manager  
Air Quality Area  
PO Box 11488  
San Juan, PR 00910

**Re: Essroc Cement Corp – Consent Decree**  
**Civil Action No. 2:11-cv-650-DSC**  
**Notice of Kiln Operation without Pollution Control Equipment**  
**San Juan Dry Scrubber (SO2 Control) and SNCR (NOx Control)**


To Whom It May Concern:

The referenced Consent Decree calls for Essroc to operate a dry scrubber and SNCR for control of SO2 and NOx emissions when the Kiln is operating. Due to miscommunication these control devices were not operated on January 8 to 10, 2014.

Since November 25, 2013, the San Juan kiln had been shut down for scheduled maintenance. The Production plan called for it to remain in temporary cessation through the entire month of January 2014. That time was to be used to complete dry scrubber and SNCR installation. However, the Production plan changed and a consequent miscommunication occurred. On January 8, 2014, at 9:00 AM operators began heating the kiln with fuel oil in preparation for restarting clinker production. Preheating of the kiln was continued with coal at 4:45 PM on January 9, 2014. On January 10, 2014, at approximately 8:00 AM kiln feed was started. Discussion between the Environmental and Production Departments revealed that an oversight had occurred in starting the kiln before completing the dry scrubber and SNCR installations. The kiln was shut down by 1:35 PM on January 10, 2014, and returned to temporary cessation.

Please telephone me or Philip J. Schworer at (859) 817-5903 if you should have any questions.

Very truly yours,



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Derek Nicholls  
Senior Vice President, Technical